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U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

AUG - 6 1999

ROBERT H. SHERWELL, CLERK
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

JUDGE SHAW

JOEL A. MORVANT, SR.,
MONICA MORVANT,
JOEL A. MORVANT, JR., AND
RIDGE M. MORVANT

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CIVIL ACTION

NO. 99-1427 L-O

MAGISTRATE JUDGE METHVIN

VERSUS

L&L SANDBLASTING, INC., and
CXY ENERGY, INC.

SECTION:

COMPLAINT FOR DAMAGES FOR PERSONAL INJURY

NOW INTO COURT, through undersigned counsel, come plaintiffs, Joel A. Morvant, Sr.,
Monica Morvant, individually and on behalf of their minor children, Joel A. Morvant, Jr. and
Ridge M. Morvant, who with respect represent the following:

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I.

Plaintiffs herein, Joel A Morvant, Sr., and Monica Morvant, individually and on behalf of their minor children, Joel A. Morvant, Jr. and Ridge M. Morvant, are persons of full legal age of majority and residents of the Parish of Iberia, State of Louisiana and at all times pertinent hereto husband and wife and parents and natural tutors of the two minor children

II.

Made defendants herein are the following:

- A. L&L Sandblasting, Inc., on information and belief a domestic corporation incorporated under the laws of the State of Louisiana authorized to do and doing business within said State and within the jurisdiction of this Honorable Court.
- B. CXY Energy, Inc., on information and belief, a Texas corporation licensed to do and doing business in the State of Louisiana and within the jurisdiction of this Honorable Court and at all pertinent times hereto was the owner and operator of the offshore platform designated CXY Eugene Island 259B.

III.

This court has jurisdiction of this matter pursuant to the Outer Continental Shelf Lands Act, 43 U.S.C.1331, et seq. and 28 U.S.C.1331 federal question jurisdiction and an amount in controversy exceeding \$75,000.00 DOLLARS exclusive of interest and costs.

IV.

On or about August 8, 1998 plaintiff, Joel A. Morvant, Sr., was employed on the CXY Eugene Island 259-B Platform located on the Outer Continental shelf off of the coast of Louisiana and was employed by C&D Production Specialists Co., Inc..

V.

While so employed plaintiff was caused to suffer severe and permanent injuries on the above date involving his lower back and/or other parts of his body and at the above location when he tripped and fell on a steel stud which had come from defendant's paint basket and improperly left loose on the deck of the platform by the defendant, its agents, employees, or others for which it is responsible.

VI.

Plaintiff alleges that the above described accident and injuries were caused by the negligence of the defendant, L & L Sandblasting, Inc., its agents, employees, or others for which

it is legally responsible, in the following particulars:

- a. Creating a dangerous condition in a work area;
- b. Failure to warn of the dangerous condition created by their negligence;
- c. Failure to perform their work in a safe and workmanlike manner; and
- d. Failure to correct a tripping hazard which defendant created;
- e. Other acts of negligence to be shown at the trial of this matter.

VII.

Plaintiff further alleges that the cause of his injuries was the collapse and/or ruin and/or breaking of the structure owned/leased and/or operated by defendant, CXY Energy, Inc., pursuant to Louisiana Civil Code Article 2322, and that defendant is strictly liable unto him for the injuries suffered due to the defective design/placement/collapse and ruin of the structure. Plaintiff further shows that defendant failed to properly exercise their obligation to provide for the health and safety of the persons working on the structure, failed to properly maintain the structure so that plaintiff could be provided with a safe place to work and other acts of negligence to be proven at the trial, including violation of Louisiana Civil Code Article 2315, 2317, et seq.

VIII.

As a result of the accident and injuries plaintiff, Joel A. Morvant, Sr., has suffered

damages in the nature of mental and physical pain and suffering, past and future, medical expenses, past and future, permanent disability, loss of earnings and impairment of earning capacity, past and future, and loss of enjoyment of life all of which he is entitled to sue and recover for pursuant to Louisiana Civil Code Articles 2315, et seq and all other applicable laws of the State of Louisiana and of the United States.

IX.

As a result of the foregoing accident and the injuries sustained by the plaintiff, Joel A. Morvant, Sr. , plaintiffs, Monica Morvant, Joel A. Morvant, Jr. and Ridge M. Morvant have been caused to lose the society, services and consortium of her husband and their father, Joel A. Morvant, Sr. for which they are entitled to sue and recover for under the laws of the State of Louisiana.

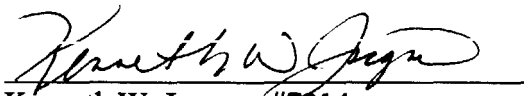
X.

Plaintiff is entitled to and demands a trial by jury.

WHEREFORE, plaintiffs pray that defendant, L & L Sandblasting, Inc., be summoned in accordance with law and after due delays and proceedings, there be judgment in plaintiffs' favor against the defendants, L & L Sandblasting, Inc. and CXY Energy, Inc., in the full and true sum of NINE HUNDRED FIFTY THOUSAND AND 00/100 (\$950,000.00) DOLLARS, together

with interest as provided by law, and for all costs of these proceedings.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Kenneth W. Jacques", is written over a horizontal line.

Kenneth W. Jacques, #7214
203 Carondelet Street, Suite 355
New Orleans, LA 70130
Telephone: (504) 524-1954
Attorney for the Plaintiffs

PLEASE SERVE:

L & L Sandblasting, Inc.
Through its agent for service of process:
Richard Dale Ledoux
Hwy. 190 West
Eunice, LA 70535

CXY Energy, Inc.
Through their registered agent for service of process:
The Prentiss Hall Corporation System, Inc.
701 S. Peters Rd., 2nd Floor
New Orleans, Louisiana 70130